

Submitted via e-mail on 4/24/06

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KANSAS

DEPARTMENT OF WILDLIFE AND PARKS

KATHLEEN SEBELIUS, GOVERNOR

April 24, 2006

Mr. Rini Ghosh
Surface Transportation Board
Case Control Unit
Washington DC 20423
ghoshr@stb.dot.gov

AB-33 (SUB-No. 233X)

Ref: D2.0401A
Woodson
STB Docket AB-33
Sub-No. 233X
Track: 20050338

Dear Mr. Ghosh:

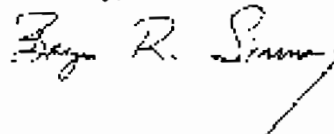
We have re-reviewed the request for SBT AB-33 involving the abandonment and service discontinuance on the Durand Industrial Lead from Mile Post 385.45 to 387.00, a distance of 1.55 miles near Yates Center in Section 11, Township 25 South, Range 15 East, in Woodson County. The project was reviewed for potential impacts on crucial wildlife habitats, current state-listed threatened and endangered species and species in need of conservation, and public recreation areas for which this agency has some administrative authority.

We have no objections to this project as designed and simply recommend implementing standard erosion control BMP's, temporary weed-free seeding/mulching to protect water quality during construction, minimize any / all instream construction activities and the use of native grasses and forbs to permanently revegetate all areas disturbed by construction.

Results of our review indicate there will be no significant impacts to crucial wildlife habitats; therefore, no special mitigation measures are recommended. The project will not impact any public recreational areas, nor could we document any potential impacts to currently listed threatened or endangered species or species in need of conservation. No Department of Wildlife and Parks permits or special authorizations will be needed if construction is started within one year, and no design changes are made in the project plans. Since the Department's recreational land obligations and the State's species listings periodically change, if construction has not started within one year of this date, or if design changes are made in the project plans, the project sponsor must contact this office to verify continued applicability of this assessment report. For our purposes, we consider construction started when advertisements for bids are distributed.

Thank you for the opportunity to provide these comments and recommendations.

Sincerely,



Bryan R. Simmons, Ecologist
Environmental Services Section